

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14804

PERMIT 11297

LICENSE 11118

ORDER ALLOWING CHANGE IN PURPOSE OF USE  
AND PLACE OF USE

WHEREAS:

1. License 11118 was issued to South Sutter Water District and was recorded with the County Recorder of Yuba County on May 19, 1981 in Book 753, Page 153 and with the County Recorder of Placer County on May 20, 1981 in Volume 2391, Page 364.
2. A petition for change in purpose of use and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:

Irrigation, Domestic and Incidental Power

2. The place of use under this license shall be as follows:

Domestic use and irrigation of 59,000 acres within a gross area of 65,796 acres, within the boundaries of South Sutter Water District; and Irrigation of a net area of 4,180 acres (including 102 acres located outside District boundaries and served by contract) within Camp Far West Irrigation District, and a power plant located on the Conveyance Canal within the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 1, T13N, R5E, MDB&M, as shown on map on file with State Water Resources Control Board.

Dated: JULY 2 1985

*Raymond Walsh*  
Raymond Walsh, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 14804 PERMIT 11297 LICENSE 11118

ORDER CORRECTING THE POINT OF DIVERSION,  
POINT OF REDIVERSION, AND  
AMENDING THE LICENSE

**WHEREAS:**

1. License 11118 was issued to South Sutter Water District and recorded with the County Recorder of Yuba County in Book 753, Page 153, on May 19, 1981, and with the County Recorder of Placer County in Volume 2391, Page 364, on May 20, 1981.
2. An order allowing change in purpose of use and place of use was granted on July 2, 1985 and has been recorded with the County Recorder of Yuba County on July 10, 1985, in Book 855, Page 606, and with the County Recorder of Placer County in Book 2834, Page 270, on July 11, 1985.
3. A review of the files and an inspection of the project on August 26, 1991 revealed that a diversion dam was not included in the original license.
4. The location of the required stream flow measuring device has been changed to a point just below the diversion dam in the South Canal. This installation allows better regulation of the bypass flows therefore, the term requiring that the measuring device should be amended by omitting "...approximately ¼ mile...".
5. The State Water Resources Control Board (State Water Board), has determined that said correction will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said correction.
6. The license condition pertaining to the State Water Board's continuing authority should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

2. Direct Diversion and redirection of releases from storage:  
Camp Far West Diversion Dam: South 400 feet and West 2,850 feet from the NE corner of Section 29, T14N, R6E, MDB&M, being within the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 29 (California Coordinate System, Zone 2, N 501,550 and E 2,189,600). (0000002)

2. The license condition pertaining to required minimum flows to be by-passed for fish life shall be amended as follows:

The licensee, to the extent it directly or indirectly controls the operation of the structures involved, shall not divert and shall at all times by-pass the waters available to it for appropriation to the extent such water is required to provide and maintain flows in the natural bed of Bear River, for the purpose of maintaining fish life, measured at a point below the existing Camp Far West diversion Dam within the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 29, T14N, R6E, as follows:

25 cubic feet per second from April 1 to June 30 of each year;  
and  
10 cubic feet per second from July 1 of each year to March 31 of the succeeding year.

Licensee is not required by this condition to provide or maintain flows in excess of the inflows to its works or to release water it has developed by storage. (0000060)

3. The license condition pertaining to the State Water Board's continuing authority shall be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are commensurate to the project.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

DOMESTIC USE AND IRRIGATION OF 59,000 ACRES WITHIN A GROSS AREA OF 65,796 ACRES, WITHIN THE BOUNDARIES OF SOUTH SUTTER WATER DISTRICT; AND IRRIGATION OF A NET AREA OF 4,180 ACRES (INCLUDING 102 ACRES LOCATED OUTSIDE DISTRICT BOUNDARIES AND SERVED BY CONTRACT) WITHIN CAMP FAR WEST IRRIGATION DISTRICT, AS SHOWN ON MAPS FILED WITH STATE WATER RESOURCES CONTROL BOARD.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS LICENSE MAY BE RELEASED.

6050043

LICENSEE SHALL RELEASE WATER INTO BEAR RIVER CHANNEL PAST CAMP FAR WEST DAM IN SUCH AMOUNTS AND AT SUCH TIMES AND RATES AS WILL BE SUFFICIENT, TOGETHER WITH INFLOW FROM DOWNSTREAM TRIBUTARY SOURCES, TO SUPPLY DOWNSTREAM DIVERSIONS OF THE SURFACE FLOW UNDER PRIOR VESTED RIGHTS TO THE EXTENT WATER WOULD HAVE BEEN AVAILABLE FOR SUCH DIVERSIONS FROM UNREGULATED FLOW.

0160999

THE LICENSE SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT BETWEEN CAMP FAR WEST IRRIGATION DISTRICT AND SOUTH SUTTER WATER DISTRICT DATED AUGUST 31, 1957.

0000024

THE LICENSEE, TO THE EXTENT IT DIRECTLY OR INDIRECTLY CONTROLS THE OPERATION OF THE STRUCTURES INVOLVED, SHALL NOT DIVERT AND SHALL AT ALL TIMES BY-PASS THE WATERS AVAILABLE TO IT FOR APPROPRIATION TO THE EXTENT SUCH WATER IS REQUIRED TO PROVIDE AND MAINTAIN MINIMUM FLOWS IN THE NATURAL BED OF BEAR RIVER, FOR THE PURPOSE OF MAINTAINING FISH LIFE, MEASURED AT A POINT APPROXIMATELY 1/4 MILE BELOW THE EXISTING CAMP FAR WEST DIVERSION DAM WITHIN THE NE1/4 OF NW1/4 OF SECTION 29, T14N, R6E, AS FOLLOWS:

25 CUBIC FEET PER SECOND FROM APRIL 1 TO JUNE 30 OF EACH YEAR.  
10 CUBIC FEET PER SECOND FROM JULY 1 OF EACH YEAR TO MARCH 31 OF  
THE SUCCEEDING YEAR.

0140066

LICENSEE IS NOT REQUIRED BY THIS CONDITION TO PROVIDE OR MAINTAIN FLOWS IN EXCESS OF THE INFLOWS TO ITS WORKS OR TO RELEASE WATER IT HAS DEVELOPED BY STORAGE.

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STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 14804

PERMIT 11297

LICENSE 11118

PAGE 1 OF 3

SOUTH SUTTER WATER DISTRICT

**THIS IS TO CERTIFY, That** c/o MURRAY, BURNS AND KIENLEN,  
1107 - 9TH STREET, ROOM 600, FORUM BUILDING, SACRAMENTO, CALIFORNIA 95814

DECEMBER 19, 1973

HAS *made proof as of* AND MARCH 8, 1980 *(the date of inspection)*  
*to the satisfaction of the State Water Resources Control Board of a right to the use of the water of*  
BEAR RIVER IN YUBA AND PLACER COUNTIES

*tributary to* FEATHER RIVER

*for the purpose of* IRRIGATION AND DOMESTIC USES  
*under Permit* 11297 *of the Board and that the right to the use of this water has been perfected*  
*in accordance with the laws of California, the Regulations of the Board and the permit terms; that the*  
*priority of this right dates from* MAY 12, 1952 *and that the amount of water to which*  
*this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated*  
*purposes and shall not exceed* (A) THREE HUNDRED THIRTY (330) CUBIC FEET PER SECOND BY  
DIRECT DIVERSION, TO BE DIVERTED FROM MAY 1 TO SEPTEMBER 1 OF EACH YEAR AND (B)  
FIFTY-EIGHT THOUSAND THREE HUNDRED SEVENTY (58,370) ACRE-FEET PER ANNUM BY  
STORAGE, TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO JUNE 30 OF THE SUCCEEDING  
YEAR. THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY  
BE DIVERTED IN A SHORTER TIME PROVIDED THERE BE NO INTERFERENCE WITH OTHER VESTED  
RIGHTS.

THE TOTAL AMOUNT OF WATER COLLECTED TO STORAGE UNDER THIS LICENSE, LICENSES 2266  
AND 2740 (APPLICATIONS 2881 AND 10190) AND RIGHTS INITIATED UNDER PERMIT 14871  
(APPLICATION 10221) SHALL NOT EXCEED 102,100 ACRE-FEET PER YEAR.

THE COMBINED AMOUNT OF WATER TAKEN FROM THE SOURCE (DIRECT DIVERSION PLUS COLLEC-  
TION TO STORAGE) UNDER THIS LICENSE, TOGETHER WITH RIGHTS INITIATED UNDER PERMIT  
14871 (APPLICATION 10221) SHALL NOT EXCEED 180,550 ACRE-FEET PER YEAR. THE  
COMBINED AMOUNT OF WATER TO BE PLACED TO BENEFICIAL USE (DIRECT DIVERSION PLUS  
WITHDRAWAL FROM STORAGE) UNDER THIS LICENSE TOGETHER WITH RIGHTS INITIATED UNDER  
PERMIT 14871 (APPLICATION 10221) SHALL NOT EXCEED 138,300 ACRE-FEET PER YEAR.  
THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS LICENSE AND RIGHTS INITIATED  
UNDER PERMIT 14871 (APPLICATION 10221) SHALL NOT EXCEED 450 CUBIC FEET PER SECOND.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.*

*This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for